	Case 1:04-cv-			<i>v</i>		
ST	ATEMENT OF SMALL CLA AND NOTICE OF TRIAL	Court DOCKET NO. Je Only. 0447 SC 0077	Tri Court of Massachusetts Small Claims Session			
	BOSTON MUNICIPAL	☐ DISTRICT COURT	☐ HOUSING COURT			
PART	COURT		Division Divisio	n' '		
	Daniel Ferulo 523 Lowell St		MIFF'S ATTORNEY (If any) AMCS BESS:			
PART 2	Lexington, MA PHONE NO: 781-862-		NE NO: BBO NO: 70	70.04		
	United States Tos	DE AND PHONE ADDIT Name	itional Defendant #2018000101/28/045M CLAINS 222 e: 72838000101/28/04010 5U1895	0.00		
PART 3	DO BOX 80141		ess:			
	- /	63180-0141	- 	- ,		
	PHONENO: 1888 601 93	28 PHOI	NE NO:			
	PLAINTIFF'S CLAIM. The defe Give the date of the event tha	at is the basis of your claim(court costs for the following reasons (vd 205 846 (90) (vd 205 846 186))	s:		
	On 9/16/03 I sent & packages containing 8/x mitchell & Ness Authentic					
PARY:	throwback Jerseys to an appartment boulding which may have hundreds of					
	Lynn, Ma 09102. At First the post office said they were delivered and					
	then said they were picked up at the post office. The Post office					
	gave the packages to someone other than the addressee (Troy Sutson) not Frank Small. The charge cord company took the money back so					
	NOT Trams small.		1	╩.,		
	I am out the ma	ney and the merch	landise. The post office is respo	nsid		
	SIGNATURE OF PLAINTIFF X	and ferullo	DATE ////04			
PART 5	who will assist the parties in try he or she desires mediation; th	claim may be available prior to trial if bo ring to resolve the dispute on mutually re defendant may consent to mediation attempt to settle this claim through cou	oth parties agree to discuss the matter with a mediator, agreed to terms. The plaintiff must notify the court if in on the trial date. urt mediation.			
		laintiff states under the pains and				
PART 6	☐ above defendant(s) is (are	e) not serving in	☐ above defendant(s) is (are) serving in the military			
<u></u>			SIGNATURE OF PLAINTIFF DATE			
EOFTRIAL	named plaintiff. You are dire claim on the date and time		NAME AND ADDRESS OF COURT Concord District Court 305 Walden St Concord, Ma 01742 978-369-0500 x631 BOTH THE PLAINTIFF AND THE DEFENDANT MUST	▼ COURTUSE		
NOTICE	If you wish to settle this should contact the plaintiff	claim before the trial date, you or the plaintiff's attorney.	DATE AND TIME OF TRIAL THIS COURT ON THE	JSEC		
ĮΣ	SEE ADDITIONAL INSTRUCTION	ONS ON THE BACK OF THIS FORM	3/23/04 9:00 a.m. DATE AND TIME	ONLY		
FIRS		CLERK-MAGISTRATE OR DESIGNEE	DATE TIME SPECIFIED			
Ro	bert J McKenna,Jr	Ann T Colicchio	ROOM NO.			

	Case 1:04-cv-12016	NMG Document 1-	2 Filed 09/17/2004	Page 2 of 5			
S	TATEMENT OF SMALL CLAIM AND NOTICE OF TRIAL	or Court DOCKET NO. • ' Use Only. 0447 SC 0076	T Cour	t of Massachusett Claims Session	s â		
PART	BOSTON MUNICIPAL	☐ DISTRICT COUR		SING COURT	1		
Ľ	COURT	Concord	Division				
	Daniel Ferund Hita Ru	in Spots and Ganes,	NAINTIEE'S ATTORNEY ST.	U	vision		
PART 2	523 Lowell St	A	ddress:	e 6	3		
	Lexington, MA 0242	20			3		
	PHONENO: 781-862-5254		HONE NO:)		
	DEFENDANT'S NAME ADDRESS, ZACOBE AND PA	HONE AL	DITIONAL DEFENDANT (FERSEULL	0101/28/0461 CLAIM 0101/28/04CT SUR	20. 10.		
PART	PO Box 80141		Idress:	7. C	20.		
	Saint Lowis, MD 6.			- U			
	PHONE NO: 1888-601-9328	P+	HONE NO:		<u></u> -		
	PLAINTIFF'S CLAIM. The defendant of Give the date of the event that is the	wess 358,70 plus	\$_30court cost	s for the following reas	ons:		
	I Shipped a 1945 M.	tehell & Ness P. n	ates jacket to	Alton M. I.L.	·		
PART	2990 Brighton 12th St	Apt 1-D Broom	Klyn NY 11235	on 10/24/62	<u>'</u>		
	2990 Brighton 12th St Apt 1-D Brooklyn NY 11235 on 10/24/63. Alton said he didn't received the jacket. The post office						
	Said they delivered			the item bo	F		
	they gave the iten		diother tha		Z Z		
	am out the Tacket	- and Money	A ([-		1/2		
- out the Jacke and Money. Post office is responsib					0/0		
1	A						
.	SIGNATURE OF PLAINTIFF X	tull		1/21/			
ART	MEDIATION: Mediation of this claim may	be available prior to trial if bo	oth parties agree to discuss the	matter with a mediator			
5	 The plaintiff is willing to attempt to s 	nt may consent to mediation settle this claim through con-	n on the trial date,	must notify the court if	Ì		
	MIL:TARY AFFIDAVIT: The plaintiff sta	ites under the pains and	penalties of perjury that the	e:			
LAT 6	above defendant(s) is (are) not serving the military and at present live(s) or a	na in	above defendant(s				
	at the above address.	X	are miniary				
+	NOTICE TO DEFENDANT:	<u></u>	SIGNATURE OF PLAINTIFF	DATE			
	You are being sued in Small Claims	Court by the above	NAME AND ADDRESS OF COURT				
:	named plaintiff. You are directed to an claim on the date and time noted to the	Mar for trial of this	Concord District Co 305 Walden St	PLAINT≀FF	8		
			Concord, Ma 01742	AND THE DEFENDANT	COURT		
	If you wish to settle this claim before should contact the plaintiff or the plain.	re the trial date, you ntiff's attorney.	978-369-0500 x631 DATE AND TIME OF TRIAL	MUST APPEAR AT	RT USE		
	SEE ADDITIONAL INSTRUCTIONS ON TH	-		THIS COURT ON THE DATE AND	USEC		
	CLERK-MAGIST	RATE OR DESIGNEE	AT	TIME	ONLY COLL		
	ert J McKenna, Jr Ann T Co	olicchio	ROOM NO.	TIME SPECIFIED	¥ °		
4011	TO LIMEND & SMILLS ROLL COLLING	the v			L		

	Case 1:04 cv 120		1 -2 Filed <u>0</u>9	/ <u>17/2004 Page 3</u>	· · · ·	
	TATEMENT OF SMALL CLAIM AND NOTICE OF TRIAL	Only. 0447 SC 0078	; in	ourt of Massac		
PART	☐ BOSTON MUNICIPAL	☐ DISTRICT COURT		☐ HOUSING COURT		
1	COURT	Concord	Division		Division	
	Daniel Ferrello (Hit &		AINTIFFS ATTORNEY (if any)		
PART 2	523 Lowell St	Add	dress:		*	
	701 6/2 5254	420 <u> </u>				
— —	PHONE NO: 18/ 8/02-5 25		ONE NO:		NO: TO	
	Chited States Postal Se	visce.	DITIONAL DEFENDANT	(if any)	S S S S S S S S S S S S S S S S S S S	
PART 3	PO Box 20141		dress:	72635000101/28/04		
	Saint Louis, MD 6318	10-0141		72638000101/28/04	AL SORESH 10.	
	PHONE NO: 1888 601 9328		ONE NO:			
	PLAINTIFF'S CLAIM. The defendant Give the date of the event that is the	owes\$ <u>/2)4,40</u> plus e basis of your claim.	\$ <u>40</u>	court costs for the follow	ving reasons:	
	On 9/16/03 I Sent 2 p	. 1 11	:	. ^		
PART	Turseys to Frank S.		<i>n</i> ,	• (1		
	Purchased with a credit arch. First the post office said they were					
	The Post office gave the packages to some one other than the					
	addressee (Troy Sutson) not Frank Small. The charge card company took the money back so In out the money and merchendise. This incident				sony took	
					Incident	
-	has been filled with the Lexington Police and Lynn Police as a frued lase					
4	SIGNATURE OF PLAINTIFF X	fundo		DATE ///	04	
PART 5	MEDIATION: Mediation of this claim m who will assist the parties in trying to re he or she desires mediation; the defen ☐ The plaintiff is willing to attempt	esolve the dispute on mutually dant may consent to mediation	agreed to terms. To n on the trial date.	he plaintiff must notify the	nediator, e court if	
	MILITARY AFFIDAVIT: The plaintiff			jury that the:		
PART 6	 above defendant(s) is (are) not set the military and at present live(s) at the above address. 	erving in or work(s)	☐ above on the mili	defendant(s) is (are) serv tary	ring in	
		<u>x</u>	SIGNATURE (OF PLAINTIFF	DATE	
AL.	NOTICE TO DEFENDANT:		NAME AND ADDRES			
OF TRIAL	You are being sued in Small Cla	ims Court by the above		strict Court	BOTH THE PLAINTIFF	
F.	named plaintiff. You are directed to claim on the date and time noted to	o appear for trial of this o the right.	305 Walder Concord, M		AND THE C	
Ä	If you wish to settle this claim b	-	978-369-05		AND THE DEFENDANT RUST	
NOTICE	should contact the plaintiff or the	olaintiff's attorney.	DATE AND TIME OF		MUST THIS COURT ON THE	
N					ON THE DATE AND	
FIRST	SEE ADDITIONAL INSTRUCTIONS ON DUSTICE MCKenna, Jr CLERKIMA	THE BACK OF THIS FORM GISTRATE ORDESIGNEE T COLICCHIO	3/23/04 DATE	AT 9:00 a.m.	DATE AND ON TIME SPECIFIED	
	Ann"	T Colicehio	ROOM NO	HIME		

INSTRUCTIONS FOR FILING A SMALL CLAIM — You must complete Parts 1-6 of this form. See instructions on reverse.

COMMONWEALTH OF MASSACHUSETTS DISTRICT COURTS OF MASSACHUSETTS

Middlesex, SS			Concord Division Small Claims Session	
DANIEL FERULLO d/b/a HIT & RUN SPORTS & GAMES)))			
V))	Docket Nos. 0447 SC		
U.S. POSTAL OFFICE, P.O. BOX 90141, SAINT LOUIS, MISSOURI)))		SC 0077 SC 0078	
	ì			

NOTICE OF HEARING ON DEFENDANT'S MOTION TO REMOVE DEFAULT AND FOR LEAVE TO PROCEED WITH REMOVAL OF ACTION TO FEDERAL DISTRICT COURT

The defendant, United States Postal Service (hereafter, the "USPS"), hereby gives notice to this honorable Court and to the plaintiff of the defendant USPS' intention to mark up its previously filed Motion to Remove Default and for Leave to Proceed with Removal of Action to Federal District Court (filed April 14, 2004), for hearing on Tuesday, May 11, 2004, at 9:00a.m.

Respectfully submitted, UNITED STATES POSTAL SERVICE,

By its attorney, MICHAEL J. SULLIVAN United States Attorney

By:

Gina Y. Walcott-Torres
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3369
BBO No. 565787

CERTIFICATE OF SERVICE

This is to certify that I have this 20th day of April 2004, served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Daniel Ferullo (d/b/a Hit & Run Sports and Games), pro se, 523 Lowell Street,

Lexington, MA 02420

Gina Y. Walcott-Torres

Assistant United States Attorney